

Attorney Docket No.: 98.41US-CPA(2870/192)

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lawson, et al.

Serial No.: 09/441,832

Group Art Unit: 1619

Filed: November 17, 1999

Examiner: Berman, Alysia

For: Gel-Type Oil Free Cosmetic

RESPONSE PURSUANT TO 37 CFR 1.111

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Dear Sir:

In the Examiner's Office Action, dated December 19, 2002, Claims 1 to 3, 7 to 19, 21, 23, 25, and 26 are rejected. In response, please enter the following amendments and consider the following remarks.

CLEAN AMENDMENTS

Please amend the following claims in their clean form below and as the previous version of the claims is marked on the attached page entitled MARKED AMENDMENTS.

4. (Amended) The composition of claim 1 further comprising a surfactant/emulsifier that is carbohydrate-based.

8. (Amended) The composition of claim 7 in which the surfactant/emulsifier is selected from the group consisting of PPG-20 methyl glucose ether, PPG-20 methyl glucose distearate, methyl gluceth 10, methyl gluceth 20, glyceryl monostearate, sucrose distearate, and PEG 120 methyl glucose dioleate.

21. (Amended) The composition of claim 15 further comprising a surfactant/emulsifier that is selected from the group consisting of PPG-20 methyl glucose ether, PPG-20 methyl glucose distearate, methyl gluceth 10, methyl gluceth 20, glyceryl monostearate, sucrose distearate, and PEG 120 methyl glucose dioleate.

**Fax Cover Sheet****ESTÉE  
LAUDER  
COMPANIES**

**DATE:** March 19, 2003      **TIME:** 6:34 PM  
**TO:** Examiner Alysia Berman      **PHONE:** (703) 308-4638  
U.S.P.T.O. GAU 1617      **FAX:** (703) 872-9306  
**FROM:** Dorene M. Price      **PHONE:** (631) 531-1194  
Estée Lauder Companies      **FAX:** (631) 744-3594  
**RE:** Response to Office Action (S/N – 09/441,832)

**CC:****Number of pages including cover sheet: 11****Message**

Please see the attached documents.

1. Certificate of Transmission
2. Amendment Transmittal
3. Amendment ( 1 pp, and 3pp attach)

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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): Lawson, et al.	Docket No. 98.41US-CPA(2870/192)
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Serial No. 09/441,832	Filing Date November 17, 1999	Examiner Berman, Alysia	Group Art Unit 1617
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Invention: Gel-Type Oil Free Cosmetic

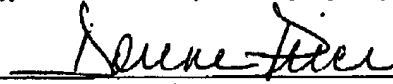
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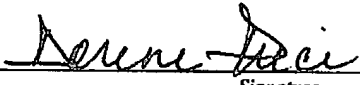
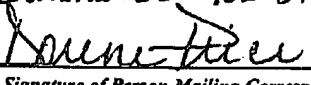
DORENE M. PRICE

(Typed or Printed Name of Person Signing Certificate)



(Signature)

Note: Each paper must have its own certificate of mailing.

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>98.41US-CPA(2870/192)</b>	
Applicant(s): <b>Laws n, et al.</b>					
Serial No. <b>09/441,832</b>	Filing Date <b>November 17, 1999</b>	Examiner <b>Berman, Alysia</b>		Group Art Unit <b>1617</b>	
Invention: <b>Gel-Type Oil Free Cosmetic</b>					
<b><u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u></b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	26 -	26 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2 -	2 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>05-1320</b> A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 _____ Signature			Dated: <b>March 19, 2003</b>		
<b>Dorene M. Price (Reg. No. 43,018)</b> <b>Estee Lauder Companies</b> <b>125 Pinelawn Road</b> <b>Melville, NY 11747</b> <b>(631) 531-1194</b>					
<div style="border: 1px solid black; padding: 5px;">         I certify that this document and fee is being deposited          of March 19, 2003 with the U.S. Postal Service as          first class mail under 37 C.F.R. 1.8 and is addressed to the          Assistant Commissioner for Patents, Washington, D.C.          20231. to fax number 703-872-9306            Signature of Person Mailing Correspondence  <b>DORENE M. PRICE</b>          Typed or Printed Name of Person Mailing Correspondence       </div>					
cc:					